

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 1ST OCTOBER 2007 / 9TH ASWINA 1929

Bail Appl..No. 5883 of 2007()

CR.NO.26/07 OF KOZHIKODE EXCISE RANGE

PETITIONER :

GOPINATHAN,S/O.VELUKUTTY,WEST HILL P.O,
KOZHIKODE.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS:

1. THE EXCISE INSPECTOR,KOZHIKODE RANGE.

2. STATE REP.BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR ADV.SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 01/10/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R.BASANT, J

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B.A.No. 5883 of 2007

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Dated this the 1st day of October, 2007

ORDER

Application for regular bail. Allegations are raised under the provisions of the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 34 bottles of Indian Made Foreign Liquor – total of 25.5 litres on 1.09.2007. The petitioner was arrested and he continues in custody from that date. The learned Public Prosecutor submits that there is no history of any criminal antecedents for the petitioner.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

sj